

CITY OF KINGMAN
MEETING OF THE COMMON COUNCIL
Council Chambers
Mohave County Administration Building 700 W. Beale St. Kingman, AZ 86401

5:30 PM

ACTION AGENDA

**Tuesday, December 4,
2018**

****A member of the Common Council may be attending the meeting telephonically****

WORKSESSION

ALL WORK SESSION ITEMS LISTED ARE FOR DISCUSSION ONLY. NO ACTION CAN OR WILL BE TAKEN. The primary purpose of the work session meetings is to provide the City Council with the opportunity for in-depth discussion and study of specific subjects. Public comment is not provided for on the Agenda and may be made only as approved by consensus of the Council. In appropriate circumstances, a brief presentation may be permitted by a member of the public or another interested party on an Agenda item if invited by the Mayor or City Manager to do so. The Mayor may limit or end the time for such presentations.

1. Special Presentation by Mayor Jen Miles
2. League of Arizona Cities and Towns Presentation
3. Legislative Process and Platform
4. Diversity and Civil Rights Presentation
5. 1st Quarter FY2019 Financial Review and TPT Collection Report

REGULAR MEETING

ESTIMATED START TIME OF REGULAR MEETING IS 7:00 P.M.

**CALL TO ORDER AND ROLL CALL – ALL COUNCILMEMBERS WERE
PRESENT.**

INVOCATION

Invocation will be given by Imam Umar Farooq Mahmood of Masjid-E-Ibrahim Mosque

PLEDGE OF ALLEGIANCE

THE COUNCIL MAY GO INTO EXECUTIVE SESSION FOR LEGAL COUNSEL IN ACCORDANCE WITH A.R.S.38-431.03(A) 3 TO DISCUSS ANY AGENDA ITEM. THE FOLLOWING ITEMS MAY BE DISCUSSED, CONSIDERED AND DECISIONS MADE RELATING THERETO:

1. APPROVAL OF MINUTES

2. APPOINTMENTS

- a. Discussion and appointment of Vice Mayor. **MOTION TO APPOINT COUNCILMEMBER LINGENFELTER AS VICE MAYOR WAS APPROVED BY A VOTE OF 4-3 WITH COUNCILMEMBER MELLO KEENER, COUNCILMEMBER NELSON, AND COUNCILMEMBER WATKINS VOTING TO APPOINT COUNCILMEMBER NELSON.**
- b. **Appointments to Planning and Zoning Commission**
The terms of commission members Gary Fredrickson and Terry Shores will end on December 31, 2018. Both commissioners are eligible for appointment for a second term and have indicated to staff their interest in reappointment. There were

no other recent applications for the Planning and Zoning Commission at this time. **MOTION TO REAPPOINT GARY FREDRICKSON AND TERRY SHORES TO THE PLANNING AND ZONING COMMISSION WAS PASSED BY A VOTE OF 7-0.**

c. Consideration of Appointment to the Water Sustainability Commission

Citizen David Dale has applied to fill one of two civilian positions on the Water Sustainability Commission. Council will consider Mr. Dale's application. **MOTION TO APPOINT DAVID DALE TO THE WATER SUSTAINABILITY COMMISSION WAS PASSED BY A VOTE OF 7-0.**

3. AWARDS/RECOGNITION

a. Comments by newly elected Council members

b. Mayor's Inaugural Comments

4. CALL TO THE PUBLIC-COMMENTS FROM THE PUBLIC

Those wishing to address the Council should fill out request forms in advance. Action taken as a result of public comments will be limited to directing staff to study the matter or rescheduling the matter for consideration and decision at a later time. Comments from the Public will be restricted to items not on the agenda with the exception of those on the Consent Agenda. There will be no comments allowed that advertise for a particular person or group. Comments should be limited to no longer than 3 minutes.

5. CONSENT AGENDA

All matters listed here are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the CONSENT AGENDA and will be considered separately.

a. Court IT IGA FY20-24

Resolution for the IGA between the City of Kingman and Mohave County for the Court Automation Project for site maintenance and operation for the Kingman Municipal Court. Project consists of the equipment, services and resources necessary to support and technically advance the courts of Mohave County, including the Kingman Municipal Court. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

b. Liquor License Application - Beale Street Brews

Applicant Angela Dawn Patterson of Beale Street Brews has applied for a Series #12 Restaurant Liquor License located at 510 Beale Street in Kingman. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

c. Community Advisory Board Award

The Mohave County Community Advisory Board (CAB) has selected the Kingman Police Department for one of their 2018-2019 awards. The award is for \$1,000.00 to support the School Resource Officers in providing the Junior Police Academy for area youth. **The department recommends accepting the award and authorizing expenditure of the funds to support the Junior Police Academy. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

d. High Intensity Drug Trafficking Area (HIDTA) Grant Award

The Kingman Police Department has been awarded \$45,000.00 in grant funding from the High Intensity Drug Trafficking Area (HIDTA). The grant funds are for a vehicle replacement for the current Mohave Area General Narcotics Enforcement Team (MAGNET) investigator. The vehicle will replace a 2010 Ford pick-up with over 134,000 miles that has become high maintenance. **The department recommends accepting the grant award and**

authorizing expenditure of the funds for the vehicle replacement. **MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

e. Request for Non-Competitive Procurement

The Kingman Police Department has been awarded a grant from the Arizona Department of Homeland Security. The grant amount of \$135,305.00 is for refurbishment of the bomb squad robot. **The department recommends approval of pursuing the non-competitive procurement for the robot refurbishment and authorize the expenditure of the grant funds through sole source Northrop Grumman/Remotec. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

f. Acceptance of a grant of a drainage easement being offered to the City of Kingman in conjunction with the recording of a parcel plat on Gates Avenue

A three-foot wide drainage easement is being granted to the City of Kingman by Hesham and Michelle Sahawneh for property that is located on the south side of Gates Avenue across from the intersection with Golf Drive. The easement is intended to accommodate existing drainage impacting the property from the south including flows from the Cerbat Cliffs Municipal Golf Course. The property is proposed to be split to accommodate future residential development. **Authorize the Mayor to sign the acceptance of this grant of easement on the parcel plat. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

g. Proposed Resolution No. 5187 approving a final release of assurances for Vista Bella Ranchitas, Tract 6029 and acceptance of subdivision improvements for city maintenance

On November 21, 2017 the City of Kingman Common Council passed Resolution No. 5114 which approved the final plat and improvement plans for Vista Bella Ranchitas, Tract 6029. The remainder of the required improvements has been completed and the developer has requested the final release of the assurance. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

h. 2019 Governor's Office of Highway Safety grant award

The Kingman Police Department has been awarded \$38,000.00 from the Governor's Office of Highway Safety (GOHS). The grant funding is for the purchase and equipment for an unmarked vehicle that can be used for apprehension of aggressive, distracted or impaired drivers. **The department recommends approving the grant award and authorizing the City Manager and Chief of Police to sign the grant contract and expend the funds according to the award. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

i. Approval of Job Order Contracts for Water and Wastewater Plant Facilities Construction Services

The Engineering Department requested Statements of Qualifications from contracting firms for Job Order Contracts related to Water and Wastewater Plant Facilities Construction Services. Six responses were received and the selection committee selected four contractors to negotiate contracts with in accordance with Arizona Revised Statutes. The four firms have completed negotiations for contract terms. Each contract is subject to annual rate negotiations and renewal as approved by Council. **Staff recommends approval of the attached Job Order contracts, authorizing individual job orders up to \$2,000,000 and authorizing the Mayor to sign the attached agreements. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

j. Acceptance of grant of public sewer line easement for the extension of a public sewer line through parcel 321-06-024, ENG18-0037

Development at 2604 Hualapai Mountain Road, parcel 321-06-072, requires the

extension of a public sewer line to serve the new building and the adjacent property to the northwest of this site. A portion of the public sewer line extension will cross outside the boundary of this parcel and through parcel 321-06-024. The property owner of parcel 321-06-024 is offering to grant a public utility easement to accommodate the section of the public sewer line located within parcel 321-06-024. **It is recommended that the Mayor be authorized to sign the Acceptance Statement for the Grant of Public Sewer Line Easement. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

k. Authorization to purchase a new Cat 420F2 backhoe

The Wastewater division budgeted for a backhoe in this fiscal year's budget. This equipment is needed for infrastructure repair and maintenance, biosolids composting, and loading equipment and supplies. Empire Equipment Rental & Sales has a new 2018 Cat 420F2 backhoe available through a national cooperative purchasing agreement. The City of Kingman's procurement policy allows cooperative purchasing methods. **Staff recommends authorizing the purchase of a new backhoe for Wastewater Operations. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

l. Approval of Professional Services Agreement with Sunrise Engineering for the Jagerson Avenue Sewer Project, ENG18-0054

The 2016 Wastewater Master Plan Study identifies the need to increase the capacity of the existing sewer line in Jagerson Avenue. This line was constructed in 1987 and is near to or at capacity and will be required to be upsized to accommodate future growth. The existing Jagerson Avenue sewer line includes a shallow crossing of the Mohave Wash. This wash crossing has required frequent maintenance work after rainfalls and monsoon seasons to ensure that it is protected from flows in the wash. **Staff recommends that the City Council approve the agreement and authorize the Mayor to sign the agreement on the City's behalf. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

m. Proposed Resolution No. 5188 authorizing the recording and accepting of the completed improvements for Shangri-La Estates, Tract 6046-A

The Council passed Resolution No. 5099 on August 15, 2017 which approved the final plat, final drainage report and improvement plans for Shangri-La Estates, Tract 6046-A. The developer elected to construct the required subdivision improvements prior to recording the final plat. All improvements are now completed per the approved plans and may be accepted by the Council. The Council is also asked to authorize the recording of the final plat. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

n. Approval of the Lease Agreement with Congressman Paul Gosar for Office Space

The City of Kingman leases office space in the Engineering Department to Congressman Paul Gosar. This lease is due for renewal. The term for the new lease will be from January 3, 2019, through January 2, 2021. **Staff recommends approval. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

6. OLDBUSINESS

a. Resolution No. 5186 - Approving Acceptance of Winning Bid for the Purchase of Excise Tax Revenue Obligations, Series 2018, to Finance the Fire Station 2 Relocation Project as Identified in Resolution No. 5180

Resolution No. 5180 was approved by the Council on October 2, 2018 which was the first step in the financing process of the Fire Station 2 relocation

project. Resolution No. 5186 approves the acceptance of the bid from First Convenience Bank and authorizes the City Manager and Financial Services Director to enter into the final Purchase Contract, Trust Agreement and Agreement with First Convenience Bank. **With voter approval on November 6, 2018 of the Responsible Sales and Use Tax Act, staff recommends Council reevaluate capital project priorities, and, therefore, does not recommend approval of Resolution No. 5186. MOTION TO DENY WAS PASSED BY A VOTE OF 6-1 WITH COUNCILMEMBER NELSON VOTING NAY.**

7. NEW BUSINESS

- a. **Public Hearing and Consideration of Ordinance No. 1880, for the rezoning of certain property located on Slaughterhouse Canyon Road from R-1-10: Residential Single Family 10,000 square foot lot minimum to R-1-6: Residential Single Family, 6,000 square foot lot minimum**

A request from KTH Consulting, applicant, and Munawar A. Paracha, owner, for the rezoning of certain property located on the west side of Slaughterhouse Canyon Road south of Mission Boulevard from R-1-10: Residential Single Family, 10,000 square foot lot minimum to R-1-6: Residential Single Family, 6,000 square foot lot minimum. The rezoning is requested to allow for the development of a single family subdivision with approximately 47 lots and an area of open space. The Planning and Zoning Commission voted 5-0 to recommend approval of the rezoning request from R-1-10 to R-1-6 with conditions as stated in Ordinance No. 1880 including the need for a Traffic Impact Analysis (TIA) at the time of the preliminary subdivision plat of the property. **Staff recommends approval.**

MOTION TO TABLE THIS ITEM AND REFER IT BACK TO THE PLANNING AND ZONING COMMISSION FOR REHEARING WAS PASSED BY A VOTE OF 7-0.

- b. **Ordinance 1881 - Amending the City of Kingman Model City Tax Code to Reflect a 1% Reduction in the Transaction Privilege and Use Tax Rate and Require Voter Approval for all Future Transaction Privilege and Use Tax Rate Increases**

With the passing of Proposition 413 at the November 6, 2018 general election, the City of Kingman's Model City Tax Code must be amended to reduce the transaction privilege and use tax rate and include a voter approval requirement for future transaction privilege and use tax rate increases. Ordinance 1881 reduces the City of Kingman's transaction privilege and use tax rate by 1%, identifies that because of the reduction in these rates the City of Kingman can no longer fund the .50% dedication to fund pavement preservation and the .50% dedicated to fund capital improvement projects, and requires that any increase to the City of Kingman's transaction privilege or use tax rate must be approved by the voters. Ordinance 1881 will go into effect January 1, 2019. **In accordance with the outcome of the November 6, 2018 general election, staff recommends Council adopt Ordinance 1881 which reduces the City of Kingman's transaction privilege and use tax rate by 1% and requires voter approval for all future increases to the transaction privilege and use tax rate. MOTION TO APPROVE WAS PASSED BY A VOTE OF 7-0.**

- c. **Consideration of Canceling the Regular Council Meeting of January 2, 2019**

In light of the New Year's holiday, staff requests that Council consider canceling the January 2, 2019, Regular Council Meeting and defer those items to the January 15, 2019, regular meeting agenda. **Staff recommends approval. MOTION TO CANCEL THE JANUARY 2, 2018 REGULAR COUNCIL MEETING WAS PASSED BY A VOTE OF 7-0.**

8. DEPARTMENT REPORTS

- a. **Announcement of the January 8, 2018 Budget Work Session**

**9. ANNOUNCEMENTS BY MAYOR, COUNCIL MEMBERS, CITY
MANAGER**

*Limited to announcements, board and commission liaison reports,
availability/attendance at conferences and seminars.*

**10. COUNCIL REQUESTS FOR FUTURE WORK SESSION AGENDA ITEMS
AND/OR CALENDAR ADJUSTMENTS**

ADJOURNMENT --- MOTION TO ADJOURN WAS PASSED BY A VOTE OF 7-0.